

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: 1/24/2020

STEVEN SCHULTZ,

Plaintiff,

19-CV-00910 (SN)

-against-

ORDER OF DISMISSAL

UNITED STATES OF AMERICA,

Defendant.

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SARAH NETBURN, United States Magistrate Judge:

On December 5, 2019, Plaintiff's counsel informed the Court that Steven Schultz, administrator of Nancy Carroll's estate, had passed away. ECF No. 24. The Court directed Plaintiff to move to substitute the proper party pursuant to Rule 25. ECF No. 25. On January 23, 2020, Plaintiff's counsel wrote to notify the Court that the family of Nancy Carroll does not wish to pursue this matter. ECF No. 26. Accordingly, because no successor or representative seeks to be substituted as a proper party, the case must be dismissed. See Fed. R .Civ. P. 25(a). Accordingly, Plaintiff's claims are DISMISSED without prejudice. The Clerk of Court is respectfully directed to close this case.

SO ORDERED.


SARAH NETBURN
United States Magistrate Judge

DATED: January 24, 2020
New York, New York